

SECOND REGULAR SESSION

HOUSE BILL NO. 1586

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES TROUPE, REYNOLDS, WALTON, JOHNSON (61),
BOUCHER (Co-sponsors), OSTMANN, WILSON (42) AND MOORE.

Read 1st time January 23, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3477L.011

AN ACT

To repeal sections 192.083, 192.965 and 192.968, RSMo, and to enact in lieu thereof ten new sections relating to the department of health and senior services.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 192.083, 192.965 and 192.968, RSMo, are repealed and ten new
2 sections enacted in lieu thereof, to be known as sections 192.965, 192.967, 192.970, 192.973,
3 192.975, 192.1000, 192.1003, 192.1006, 192.1009 and 192.1012 to read as follows:

192.965. There is hereby created the "[Office on] **Division of Women's Health**" within
2 the department of health and senior services. The duties of the [office] **division** shall include,
3 without limitation, to:

4 (1) Assist in the assessment of the health and senior services needs of women in the
5 state;

6 (2) Provide policy analysis and recommendations to the director of the department of
7 health and senior services on issues affecting the health and well-being of women across the life
8 cycle;

9 (3) Assist the director of the department of health and senior services in identifying
10 issues and establishing priorities for programs, services and resources the department of health
11 and senior services should provide;

12 (4) Serve as a central location for information, resources, technical assistance and
13 consultation about women's health for the department of health and senior services, other state
14 agencies, local health departments and community-based organizations;

15 (5) Promote coordination of and collaborative efforts among programs and services for

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 women in the department of health and senior services, other state agencies, local health
17 departments and community organizations; and

18 (6) Increase visibility of the many diverse factors affecting the health and well-being of
19 women in Missouri.

**192.967. 1. In addition to the powers, duties and functions vested in the division
2 of women's health by other provisions of sections 192.965 to 192.975 or by other laws of
3 this state, the division of women's health shall have the power:**

4 (1) To sue and be sued;

5 (2) To make contracts and carry out the duties imposed upon it by this or any other
6 law;

7 (3) To administer, disburse, dispose of and account for funds, commodities,
8 equipment, supplies, or services and any kind of property given, granted, loaned, advanced
9 to, or appropriated by the state of Missouri for any of the purposes herein;

10 (4) To administer oaths, issue subpoenas for witnesses, examine such witnesses
11 under oath, and make and keep a record of same;

12 (5) To adopt, amend and repeal rules and regulations necessary or desirable to
13 carry out the provisions of sections 192.965 to 192.975 and which are not inconsistent with
14 the constitution or laws of this state;

15 (6) To cooperate with the United States government in matters of mutual concern
16 pertaining to any duties wherein the division of women's health is acting as a state agency,
17 including the adoption of such methods of administration as are found by the United States
18 government to be necessary for the efficient operation of state plans hereunder;

19 (7) To make such reports in such form and containing such information as the
20 United States government may, from time to time, require, and comply with such
21 provisions as the United States government may, from time to time, find necessary to
22 assure the correctness and verification of such reports;

23 (8) To administer state women's health activities and develop state services for the
24 encouragement and assistance of community women's health organizations;

25 (9) To appoint, when and if it may deem necessary, advisory committees to provide
26 professional or technical consultation in respect to women's health problems and
27 administration. The members of such advisory committees shall receive no compensation
28 for their services other than expenses actually incurred in the performance of their official
29 duties. The number of members of each such advisory committee shall be determined by
30 the division of women's health, and such advisory committees shall consult with and advise
31 the division of women's health in respect to problems and policies incident to the
32 administration of the particular function germane to the respective field of competence;

33 (10) To collect statistics, make special fact-finding studies and publish reports in
34 reference to women's health; and

35 (11) To accept gifts and grants of any property, real or personal, and to sell such
36 property and expend such gifts or grants not inconsistent with the administration of
37 sections 192.965 to 192.975 and within the limitations imposed by the donor thereof.

38 2. All powers and duties of the division of women's health shall, so far as
39 applicable, apply to the administration of any other law or state law wherein duties are
40 imposed upon the division of women's health acting as a state agency.

 192.970. No rule or portion of a rule promulgated under the authority of sections
2 192.965 to 192.975 shall become effective unless it has been promulgated pursuant to the
3 provisions of chapter 536, RSMo.

 192.973. The chief administrative officer of the division of women's health shall be
2 a director of women's health, who shall be a person qualified by education and experience
3 to supervise the work of the division of women's health and shall be a citizen and taxpayer
4 of Missouri. Before entering upon his or her duties, the director shall subscribe an oath
5 or affirmation to support the Constitution of the United States and of the state of Missouri
6 and to faithfully demean himself or herself in office. The director shall enter into good and
7 sufficient bond, payable to the state of Missouri, conditioned upon the faithful discharge
8 and performance of official duties, and upon accountability for all property and funds
9 coming under his or her administration and control, such bond to be approved by the
10 attorney general as to form, and by the governor as to its sufficiency, the premium on such
11 bond to be paid by the state. The governor may remove the director of the division of
12 women's health for incompetence, misconduct, or neglect of duty.

 192.975. The director of the division shall devote his or her entire time to his or her
2 official duties and shall receive an annual salary to be determined by the director of the
3 department of health and senior services. It shall be the director's duty to investigate
4 personally the conduct of the various bureaus of the division of women's health, and to give
5 executive control to the administration of the work of the division in this state.

 192.1000. There is hereby established the "Division of Minority Health" within the
2 department of health and senior services. The division of minority health is an integral
3 part of the department of health and senior services and shall have and exercise all the
4 powers and duties necessary to carry out fully and effectively the purposes assigned to it
5 by law and shall be the state agency to:

6 (1) Address issues related to minority health;

7 (2) Instill cultural sensitivity and awareness into all existing programs of the
8 department of health and senior services;

- 9 (3) Develop health education programs specifically for minorities;
10 (4) Promote constituency development;
11 (5) Coordinate programs provided by other agencies;
12 (6) Develop culturally sensitive health education materials;
13 (7) Seek extramural funding for programs;
14 (8) Develop resources within communities;
15 (9) Establish interagency communication to assure that agreements are established
16 and carried out;
17 (10) Ensure that personnel within the department of health and senior services
18 have cultural understanding and sensitivity;
19 (11) Ensure that all programs are designed to be responsive to unique needs of
20 minorities;
21 (12) Review all programs of the department, their impact on the health status of
22 minorities;
23 (13) Assist in the design of programs targeted specifically to improving the health
24 of minorities;
25 (14) Develop programs that can attract other public and private funds;
26 (15) Analyze federal and state legislation for its impact on the health status of
27 minorities;
28 (16) Advise the director of the department of health and senior services on health
29 matters that affect minorities;
30 (17) Coordinate the development of educational programs designed to reduce the
31 incidence of disease in the minority population; and
32 (18) Any other duties relating to minority health which may be imposed upon the
33 department of health and senior services.

192.1003. 1. In addition to the powers, duties and functions vested in the division
2 of minority health by other provisions of sections 192.1000 to 192.1012 or by other laws of
3 this state, the division of minority health shall have the power:

- 4 (1) To sue and be sued;
5 (2) To make contracts and carry out the duties imposed upon it by this or any other
6 law;
7 (3) To administer, disburse, dispose of and account for funds, commodities,
8 equipment, supplies, or services and any kind of property given, granted, loaned, advanced
9 to, or appropriated by the state of Missouri for any of the purposes herein;
10 (4) To administer oaths, issue subpoenas for witnesses, examine such witnesses
11 under oath, and make and keep a record of same;

12 (5) To adopt, amend and repeal rules and regulations necessary or desirable to
13 carry out the provisions of sections 192.1000 to 192.1012 and which are not inconsistent
14 with the constitution or laws of this state;

15 (6) To cooperate with the United States government in matters of mutual concern
16 pertaining to any duties wherein the division of minority health is acting as a state agency,
17 including the adoption of such methods of administration as are found by the United States
18 government to be necessary for the efficient operation of state plans hereunder;

19 (7) To make such reports in such form and containing such information as the
20 United States government may, from time to time, require, and comply with such
21 provisions as the United States government may, from time to time, find necessary to
22 assure the correctness and verification of such reports;

23 (8) To administer state minority health activities and develop state services for the
24 encouragement and assistance of community minority health organizations;

25 (9) To appoint, when and if it may deem necessary, advisory committees to provide
26 professional or technical consultation in respect to minority health problems and
27 administration. The members of such advisory committees shall receive no compensation
28 for their services other than expenses actually incurred in the performance of their official
29 duties. The number of members of each such advisory committee shall be determined by
30 the division of minority health, and such advisory committees shall consult with and advise
31 the division of minority health in respect to problems and policies incident to the
32 administration of the particular function germane to the respective field of competence;

33 (10) To collect statistics, make special fact-finding studies and publish reports in
34 reference to minority health; and

35 (11) To accept gifts and grants of any property, real or personal, and to sell such
36 property and expend such gifts or grants not inconsistent with the administration of
37 sections 192.1000 to 192.1012 and within the limitations imposed by the donor thereof.

38 2. All powers and duties of the division of minority health shall, so far as
39 applicable, apply to the administration of any other law or state law wherein duties are
40 imposed upon the division of minority health acting as a state agency.

 192.1006. No rule or portion of a rule promulgated under the authority of sections
2 192.1000 to 192.1012 shall become effective unless it has been promulgated pursuant to the
3 provisions of chapter 536, RSMo.

 192.1009. The chief administrative officer of the division of minority health shall
2 be a director of minority health, who shall be a person qualified by education and
3 experience to supervise the work of the division of minority health and shall be a citizen
4 and taxpayer of Missouri. Before entering upon his or her duties, the director shall

5 subscribe an oath or affirmation to support the Constitution of the United States and of the
6 state of Missouri and to faithfully demean himself or herself in office. The director shall
7 enter into good and sufficient bond, payable to the state of Missouri, conditioned upon the
8 faithful discharge and performance of official duties, and upon accountability for all
9 property and funds coming under his or her administration and control, such bond to be
10 approved by the attorney general as to form, and by the governor as to its sufficiency, the
11 premium on such bond to be paid by the state. The governor may remove the director of
12 the division of minority health for incompetence, misconduct, or neglect of duty.

2 **192.1012. The director of the division shall devote his or her entire time to his or**
3 **her official duties and shall receive an annual salary to be determined by the director of**
4 **the department of health and senior services. It shall be the director's duty to investigate**
5 **personally the conduct of the various bureaus of the division of minority health, and to give**
6 **executive control to the administration of the work of the division in this state.**

2 [192.083. There is hereby established in the department of health and senior
3 services an "Office of Minority Health". The office of minority health shall monitor
4 the progress of all programs in the department for their impact on eliminating the
5 health status disparity between minorities and the general population and shall:

- 5 (1) Address new issues related to minority health;
- 6 (2) Instill cultural sensitivity and awareness into all existing programs of the
7 department of health and senior services;
- 8 (3) Develop health education programs specifically for minorities;
- 9 (4) Promote constituency development;
- 10 (5) Coordinate programs provided by other agencies;
- 11 (6) Develop culturally sensitive health education materials;
- 12 (7) Seek extramural funding for programs;
- 13 (8) Develop resources within communities;
- 14 (9) Establish interagency communication to assure that agreements are
15 established and carried out;
- 16 (10) Ensure that personnel within the department of health and senior
17 services have cultural understanding and sensitivity;
- 18 (11) Ensure that all programs are designed to be responsive to unique needs
19 of minorities;
- 20 (12) Provide necessary health and medical information, data, and staff
21 resources to the Missouri minority health issues task force;
- 22 (13) Review all programs of the department, their impact on the health status
23 of minorities;
- 24 (14) Assist in the design of programs targeted specifically to improving the
25 health of minorities;
- 26 (15) Develop programs that can attract other public and private funds;
- 27 (16) Analyze federal and state legislation for its impact on the health status
28 of minorities;

29 (17) Advise the director of the department of health and senior services on
30 health matters that affect minorities;

31 (18) Coordinate the development of educational programs designed to reduce
32 the incidence of disease in the minority population.]

 [192.968. To advise the chief of the office on women's health, the director
2 of the department of health and senior services shall appoint a committee comprised
3 of persons who have expertise in the varied issues affecting the health and well-being
4 of women in Missouri, who reflect the geographic, racial, ethnic and socioeconomic
5 diversity of Missouri, and who speak for communities with specific health care risks,
6 needs and concerns.

7 (1) The advisory committee and the chief of the office on women's health
8 shall jointly identify issues pertinent to the health of women for consideration by the
9 director of the department of health and senior services.

10 (2) The advisory committee shall assist the office on women's health in
11 analyzing issues, as requested, and providing policy advice to the chief of the office
12 on women's health.]